

**AMENDMENTS TO THE DRAWINGS**

The attached sheet(s) of drawings includes changes to Figures 1 and 2. These figures are labeled "BACKGROUND ART." Enclosed are marked-up and formal copies of Figs. 1 and 2.

Attachment:        Replacement sheets  
                         Annotated sheets showing changes

### **REMARKS**

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-20 and 22-30 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the Amendments and Remarks as set forth hereinbelow.

### **CLAIM FOR PRIORITY**

The Examiner has not recognized the Applicant's claim for foreign priority. Accordingly, it is respectfully requested the Examiner acknowledge Applicant's claim for foreign priority in the next Office Action.

### **DRAWINGS**

The Office Action objects to the drawings and indicates Figures 1 and 2 should be labeled "Prior Art." In light of this indication, Figures 1 and 2 have been labeled "Background Art" to correspond with the description of the background art beginning at line 12 of page 1 of the present application. Accordingly, it is respectfully requested this objection be withdrawn.

### **CLAIM OBJECTIONS**

Regarding the objection to the claims, claims 1, 16 and 22 have been amended in light of the comments noted in the Office Action. Accordingly, it is respectfully requested the objection to claims 1, 16 and 22 be withdrawn.

### **ACKNOWLEDGMENT OF INFORMATION DISCLOSURE STATEMENT**

The Examiner has acknowledged the previously filed Information Disclosure Statement (IDS). An initialed copy of the PTO-1449 has been received from the Examiner.

In addition, another IDS was recently filed on September 26, 2006. Accordingly, the Examiner is respectfully requested to acknowledge this newly filed IDS.

**REJECTION UNDER 35 U.S.C. § 112**

Regarding the rejection of claim 12 under 35 U.S.C. § 112, second paragraph, claim 12 has been amended to depend on claim 11 such that the term “the recess” has proper antecedent basis. Accordingly, it is respectfully requested this rejection be withdrawn.

**REJECTION UNDER 35 U.S.C. § 102**

Claims 1-8, 10-12 and 15-22 stand rejected under 35 U.S.C. § 102(b) as anticipated by Hiroyoshi et al. This rejection is respectfully traversed.

Amended independent claim 1 is directed to a vibration device including upper and lower cases combined with each other to form case, a magnetic force generating unit provided on at least one surface of the upper and lower cases, at least one magnet formed to be opposite to the magnetic force generating unit, a weight which forms one body together with the at least one magnet, at least one elastic unit elastically supporting the weight in the case, and a fixing member for fixing ends of the at least one elastic unit. Further, the magnetic force generating unit is provided at least one from a lower side and an upper side of the weight to accommodate the weight extending in a circumferential direction.

These features are supported at least by Figs. 3, 4, 7 and 8. For example, Figs. 3 and 4 illustrate the magnetic force generating unit 130 provided at a lower side of the weight 150 to accommodate the weight 150 extending in a circumferential direction. Figs. 7 and 8 illustrate the magnetic force generating unit 230 being disposed on both the lower and upper sides of the weight 250 to accommodate the weight 250 extending in a circumferential direction.

On the contrary, as shown in Fig. 1 of Hiroyoshi et al., the magnets 220 are not disposed on at least one from a lower side and an upper side of the weight 120. Rather, the magnets 220 are disposed on left and right sides of the weight 120. Therefore, the weight 120 cannot extend in a circumferential direction.

Turning now to amended independent claim 17, which is directed to a vibration device including a casing body, a weight including a magnet disposed in the casing body, and a strip of a closed-curve shape and a plurality of support legs extended from the strip. Further, the strip is connected to the weight and the plurality of support legs are connected to the casing body such

that the weight is suspended in the casing body. Also included is a magnetic force generating unit configured to generate a magnetic force to vibrate the weight in the casing body. In addition, the support legs form a downwardly turning curve in an axial direction of the strip.

These features are supported at least by Fig. 5, for example, which illustrates a strip 161 of a closed-curve shape and a plurality of support legs 163 extending from the strip 161. Further, the support legs 163 form a downwardly turning curve in an axial direction of the strip 161.

Regarding independent claim 17, the Office Action indicates Hiroyoshi et al. teach these features and cites Figs. 3, 8 and 10-12. However, as shown in Figs. 3, 8 and 12, the beam portion 313 of the spring 310 (see Fig. 3, for example) is planar in shape and does not form a downwardly turning curve in an axial direction of the strip. That is, the spring 310 in Hiroyoshi et al. is flat.

Accordingly, it is respectfully submitted independent claims 1 and 17 and each of the claims depending therefrom are allowable.

Claims 23, 24, 27 and 28 stand rejected under 35 U.S.C. § 102(b) as anticipated by Sakai. This rejection is respectfully traversed.

Amended independent claim 23 is directed to a vibration device including a case, a terminal plate attached to one side of the case and connected to an external power source, a vibrating plate formed in an upper portion of the case, a voice coil disposed below the vibrating plate, a magnetic force generator formed below the voice coil, a 3-dimensional elastic unit for elastically supporting the magnetic force generator, and upper and lower covers formed above and below the case to protect inner components between the upper and lower covers. Further, an upper portion of the 3-dimensional elastic unit stably supports a peripheral portion of the magnetic force generator.

These features are supported at least by Fig. 9 and the corresponding description in the specification. For example, Fig. 9 illustrates a case 350, a terminal plate 355 attached to one side of the case 350 and connected to an external power source (not shown), a vibrating plate 370 formed in an upper portion of the case 350, a voice coil 330 disposed below the vibrating plate 370, a magnetic force generator 340 formed below the voice coil 330, a 3-dimensional elastic unit 360 for elastically supporting the magnetic force generator 340, and upper and lower covers

310, 320 formed above and below the case 350 to protect inner components between the upper and lower covers 310, 320. Further, an upper portion of the 3-dimensional elastic unit 360 stably supports a peripheral portion of the magnetic force generator 340.

On the contrary, as shown in Fig. 2A of Sakai, the elastic unit 15 is flat (i.e. is a 2-dimensional plate). This differs from the present invention in which the vibration device includes a 3-dimensional elastic unit for elastically supporting the magnetic force generator. Further, an upper portion of the 3-dimensional elastic unit stably supports a peripheral portion of the magnetic force generator. Sakai does not teach or suggest these features.

Accordingly, it is respectfully submitted independent claim 23 and each of the claims depending therefrom are also allowable.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claims 9, 13 and 14 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Hiroyoshi et al. This rejection is respectfully traversed.

In addition, it is respectfully submitted this rejection has also been overcome as claims 9, 13 and 14 are dependent claims.

Claims 25 and 26 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Sakai in view of Hiroyoshi et al. This rejection is respectfully traversed.

Further, it is respectfully submitted this rejection has also been overcome as claims 25 and 26 are dependent claims, and as discussed above Sakai and Hiroyoshi et al. do not teach or suggest the features recited in the independent claims.

**CONCLUSION**

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination.

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

If the Examiner believes, for any reason, that personal communication will expedite the prosecution of this application, the Examiner is invited to telephone David A. Bilodeau at (703) 205-8072 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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Attachments: Replacement Sheet (Figs. 1 and 2)  
Annotated Sheet (Figs. 1 and 2)

Fig. 1 BACKGROUND ART

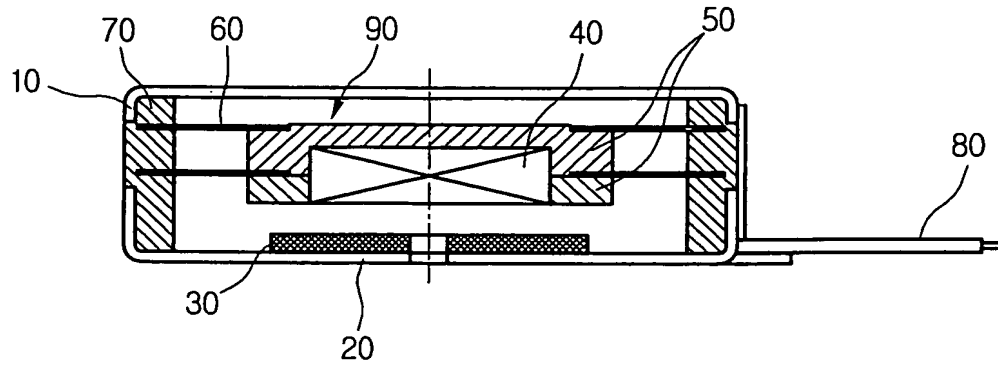


Fig. 2 BACKGROUND ART

